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## PART I

### Punjab Government Notifications and Orders

#### GOVERNMENT OF PUNJAB

#### DEPARTMENT OF WATER RESOURCES

(Works Branch)

#### NOTIFICATION

The 26th June, 2024

#### No.WR-IRWR04/16/2023-IW1/2516.-

In exercise of the powers conferred under the provisions of Section 55 of the Northern India Canal and Drainage Act 1873 and all other powers enabling him in this behalf, the governor of Punjab is pleased to declare that notification issued by the Govt of Punjab, Department of Water Resources No. WR-IRWR04/16/2023-IW1/315 dated 18/09/2023 is hereby amended in light of the Problems being faced by the various stakeholders.

2.0 An inter-departmental Committee of following officers were constituted to formulate a clear policy to regulate activates to be allowed in flood prone areas.

- (i) Chief Engineer, Drainage
- (ii) Chief Town Planner, Punjab
- (iii) Engineer-in- Chief, PUDA
- (iv) Chief Engineer, Local Government.

3.0 In view of the policy framed by the committee the recommendations were received from Chief Administrator/GMADA to Principal Secretary Water Resources vide letter no. 227 dated 21/05/2024 and are reproduced as under:

*“On the subject cited work and letter under reference, on the draft policy, the matter was discussed with various officers. During the discussion held in the meeting, it is proposed that where Master Plans have already been notified, the Choe/drain width should not be more than existing Choe/drain with including buffer zones as specified in the Master Plan/Regional Plan on both sides and where Master Plan has not will be huge financial burden on the Development Authorities as well as on private promoter It is bring into your notice that, where scheme boundary and plot boundary matches, it will not be possible to or or been notified yet, the existing width of Choe/drain should be notified and the proposal of 100 years return period on both sides should be proposed earmarked as river reserve/buffer separately. The projects which have already been approved before the issuance of such notifications are required to be honored*

*or adjusted as sanctioned/permitted. If more area under green buffer/river reserve is earmarked then it will be huge financial burfen on the Development Authorities as well as on private promoter It is bring into your notice that, where scheme boundary and plot boundary matches, it will not be possible to provide perforation holes in plot boundary'*

Sd/-

Chief Administrator, GMADA

4.0 The above recommendations have been accepted in an endeavour to keep the master plan intact. However, the 100-year discharge will be shared with the plan sanctioning authorities and it will be the responsibility of the developmental authorities to make suitable arrangements to ensure smooth passage of flood water in the rivers and seasonal rivulets, which have or not have been marked or not marked on the master plan, without any damage to life and property. Further, beyond the date of issuance of this notification no NOCs will be issued by Drainage Department for areas falling within the Master Plan.

5.0 Further, for the areas falling outside the notified master plan NOC's as per notification dated 18/09/2023 would be required for Drains/Rivers/Choe/Nallah:

- (i) The Water Resource department will issue notification corresponding to 1 in 100- year discharge, the waterway corresponding to 1 in 100-year discharge will be considered as water way/right of river/No construction zone and no obstruction of any sort shall be created in the waterway. The buffer zone in addition to waterway, kept by the plan sanctioning authorities acts as a safety valve to the river and the extent of width which is to be kept as buffer would be decided by the plan sanctioning authorities.
  - (ii) The waterway based on the 100 Year discharge is calculated by the Water Resources Department based on the available flood routing methods and there is probability of deviation as per various other prevalent formulas and due to observed discharge exceeding the discharge calculated by the probabilistic methods. In case the empirically calculated 100-year discharge is lesser than the actual observed discharge then in that case actual observed discharge is to be taken as reference in calculating the flood water way.
  - (iii) Notifications of drains done by the Drainage Department will be updated in the revenue record of the District Administration and will be shared with the Town Planning Department/concerned local body department. Digital revenue maps shall be updated by the Revenue Department as per the notification issued by Water Resources Department or any revision thereof. Geofence shall be created on GIS by the Water Resources Department so that the plan sanctioning authority readily recognize the area of the drain.
  - (iv) After The Department of Water Resources has completed the process of notification all the drains/Choe/nallah in the state of Punjab and subsequently the process of geofencing is completed then no NOC would be required from the drainage department and the geofenced revenue maps will serve the purpose thereon.
- 6.0 Further, the point wise clarification on various issues being faced while granting NOCs to the projects along departments Choe/drain are attached as annexure "A"

Sd/-

Chandigarh

The 25th June, 2024

**KRISHAN KUMAR, IAS**

Principal Secretary to Government of Punjab.

## Annexure "A"

Clarification on issues being faced while granting NOCs to the projects along departments Choe/drains.

- (i) For residential colonies/commercial projects falling under the municipal limits where already old dense developments have come up in the areas the layout is approved/sanctioned and building plans approved by the competent authority, NOC shall not be required. However, in all other cases within municipal limits NOC from drainage department is a prerequisite.
- (ii) In some cases, it has been observed that while examining the drainage NOC the 100- year discharge comes out to be lesser than the notified area and the applicant's land comes within the land notified by the Water Resources department under section 55 of Canal and drainage act. In such cases where land does not belong to Department of Water Resources then the notification may be revised based on the 100-year discharges or the highest observed discharge whichever is higher.
- (iii) For residential colonies/commercial projects, the NOC is to be taken by the developer of the colony on the total projects area and NOC shall not be taken by the individual owners of the fragmented land under the project.
- (iv) In case of NOC already sanctioned from the drainage department and now the developer aims to amend or get approval of any layout within the CLU area than fresh NOC is not required from the drainage department as drainage department is only concerned with the external boundary and NOC is given only based on the KML showing external boundary plan.
- (v) In case of NOC already sanctioned for original projects and now the builder aims to undergo extension of the project then in that case the builder/applicant need to apply for fresh N.O.C from drainage department for ensuring the compliance of conditions of earlier issued NOC.
- (vi) For ensuring unrestricted sheet flow during high floods, it was decided that the following preference criteria shall be adopted by plan sanctioning authority who may at their discretion direct the developer to adopt any of the preferences as per site conditions: -  
Preference 1: No provision of boundary walls in project sites for unrestricted sheet flow movement.  
Preference 2: If in case boundary walls is to be provided than that shall remain free from construction and roads, parks etc. shall be developed along boundary walls. In these cases, perforation holes of 0.6 m height shall be provided for at least 20% area of boundary walls.  
Preference 3: If even preference 2 is not to be adopted then planning shall be done in such a way that if building abuts the boundary wall than the building/rows of houses length cannot be more than 100 meters in a stretch and perforation holes having opening of 12m x 0.6m. is to be made mandatory after a distance of 100 meter or part thereof. In all the walls of compound having length more than 50 meters, one such opening shall be compulsory.  
Exemption to above scenarios: As per the recommendations received from Chief Administrator/ GMADA to Principal Secretary Water Resources vide letter no. 227 dated 21/05/2024 "*where scheme boundary and plot boundary matches, it will not be possible to provide perforation holes in plot boundary*". For such exempted sites the plan sanctioning authorities and the developer must ensure the proper drainage to the sheet flow is provided in those sites.
- (vii) It was decided that the concerned applicant will be bound to recycle the sewer water by installing STP of adequate capacity considering the actual usage and not the usage as per the standard norms. Applicant must ensure that dirty water does not enter the Natural Drainage System and

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the regulating authority (PPCB) should ensure that the compliance of above is being done.

- (viii) While giving approvals to the applicant's condition may be imposed in the approval letter that the applicant shall take adequate measures to ensure that natural drainage should not be obstructed and compliance is done as per IRC: SP 50 "Guidelines for Urban Drainage".